

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

JON PAUL CARTER,)
)
Plaintiff,)
)
v.) Case No. CV608-003
)
JAMES DONALD, STEPHEN)
UPTON,)
)
Defendants.)

REPORT AND RECOMMENDATION

On January 8, 2008, plaintiff filed a complaint pursuant to 42 U.S.C. § 1983. (Doc. 1.) However, he failed to include either a filing fee or a motion to proceed *in forma pauperis* with his complaint. Because he failed to pay the filing fee, the Clerk of Court mailed an In Forma Pauperis Motion form to plaintiff. Plaintiff has failed to return the form and has not paid the filing fee. In addition, he has made no further filings in this case since

submitting his complaint on January 8 , 2008. Accordingly, his complaint should be **DISMISSED** without prejudice.

SO REPORTED AND RECOMMENDED this 21st day of March, 2008.



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA